IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.2674 OF 2005

Vinit Nishikant Wakankar. ..Petitioner.

Versus

Mrs.Deepali Sachin Bhujbal
and Anr. ..Respondents.

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Mr.R.V.Talasikar, Adv. for the Petitioner.
Mrs.A.S.Pai, APP, for the State.

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CORAM : SMT.V.K.TAHILRAMANI,J.

DATED : NOVEMBER 30, 2007.

P.C.:

1. Heard the learned Advocate for the petitioner and the learned APP for the State.

2. The petitioner has preferred this Petition for quashing of C.R. No.3126 of 2003 of Vijapur Naka Police Station, Solapur. The said case is numbered as Summary Triable Case No.2158 of 2004 and it is pending before the J.M.F.C., Court No.2, Solapur. The said case is under Section 3 punishable under Section 6 of the Indecent Representation of Women (Prohibition) Act, 1986 (hereafter referred to as the said Act, for

brevity).

3. The present case pertains to an advertisement. The petitioner, at the relevant time, was working as a Sales Executive officer with Seagram Imperial Blue. The present case relates to an advertisement hoarding for Seagram Imperial Blue. The hoarding advertising Seagram's Imperial Blue was put up at a bus-stop near Municipal Corporation, Solapur. The complaint in the present case has been lodged by PSI Mrs.Deepali Bhujbal, attached to Mahila Samsya Nivaran Kendra Crime Branch, Solapur City, Solapur only against the petitioner. The said complaint pertains to the above mentioned advertisement. In the complaint, it is mentioned that in the said advertisement the woman has been shown in an indecent manner wearing short clothes. As per the complaint, showing of women in such short clothes would harm the public moral and it would be covered by Section 3 of the said Act.

4. In the present case the investigation is over and the charge-sheet has been filed. I have perused the material on record as well as the

advertisement in question. Though the advertisement is titled "MEN WILL BE MEN" on perusing the same, I do not find anything therein so as to make it fall under Section 3 of the said Act. No doubt the woman is wearing short clothes in the sense that she is wearing T-shirt and shorts. However, on perusal of the advertisement, it cannot be said that the woman has been portrayed in an indecent manner or that the advertisement contains indecent representation of women in any form.

5. In view of the above facts, C.R. No.3126 of 2003 of Vijapur Naka Police Station, Solapur pertaining to S.T.C. No.2158 of 2004 which is pending before the J.M.F.C., Court No.2, Solapur is quashed. Rule is made absolute accordingly.

6. Petition is disposed of.

(SMT.V.K.TAHILRAMANI,J.)